

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 9/22/2015	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of right of way documents accepting conveyance from Douglas and Diana Tharalson for the Cypress Mountain Drive at Klau Creek Bridge Replacement Project. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Approve and execute the Tharalson Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 15-03 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return copies of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and 2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transactions associated with these real property interests.			
(6) FUNDING SOURCE(S) Federal HBP, Federal Toll Credit Program, Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$1,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 1			

Reference: 15SEP22-C-3

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 9/22/2015

SUBJECT: Submittal of right of way documents accepting conveyance from Douglas and Diana Tharalson for the Cypress Mountain Drive at Klau Creek Bridge Replacement Project. District 1.

RECOMMENDATION

It is recommended that the Board:

1. Approve and execute the Tharalson Right of Way Agreement and accept the accompanying Public Road and Slope Easement Deed Parcel No. 15-03 by execution of the attached Certificate of Acceptance and direct the Clerk to record the Deed and return copies of the executed Agreement and recorded Deed to the Department of Public Works for completion of the transaction; and
2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transactions associated with these real property interests.

DISCUSSION

The County of San Luis Obispo Department of Public Works is proposing to replace a structurally deficient bridge on Cypress Mountain Drive at Klau Creek (Bridge No. 49C-0033). The bridge has been determined to be structurally deficient by the State of California Department of Transportation (Caltrans), making it eligible for funding authorized by the Federal Highway Administration (FHWA) for local bridge replacement.

The existing one-span timber bridge on stone masonry abutments was built in 1953. The existing bridge has a clear deck width of 14 feet, which is non-standard for a two-lane facility. The proposed bridge replacement will generally follow the existing alignment and will clear span, for approximately 60 feet, over Klau Creek. The proposed bridge replacement structure would be a concrete slab bridge

with a clear deck width of 24 feet in order to accommodate 10-foot travel lanes and 2-foot shoulders. The proposed bridge replacement activities would be limited to the bridge work and up to 400 feet of road approach work on either side of the bridge.

On May 5, 2015, your Board adopted Resolution No. 2015-111 approving the Cypress Mountain Drive at Klau Creek Bridge Replacement Project, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and directed staff to proceed with associated project development activities.

The attached Right of Way Agreement and Public Road and Slope Easement Deed will provide the County and its contractors with one of two real property interests required to construct the proposed bridge replacement project.

This acquisition is based upon fair market value determined by a staff appraisal. The approval and execution of the Right of Way Agreement and the acceptance of the related Public Road and Slope Easement Deed, by execution of the attached Certificate of Acceptance, will allow the Department to proceed with processing and payment pursuant to the Agreements.

Project construction is expected to begin in the summer of 2016.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached documents as to legal form and effect.

Caltrans Office of Local Assistance oversees funding by agreement with FHWA to utilize funds under the Federal Highway Bridge Program.

The County is working to secure a Streambed Alteration Agreement from the California Department of Fish and Wildlife, Section 404 Authorization from the U.S. Army Corps of Engineers, and Section 401 Certification from the Regional Water Quality Control Board prior to the commencement of work.

FINANCIAL CONSIDERATIONS

The Right of Way Agreement provides for the following compensation:

Douglas and Diana Tharalson	(Parcel No. 15-03)	\$1,000.00
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This project is a multi-year project budgeted in Road Fund for FY 2015-16 WBS 300432 in the amount of \$1,799,880. The project will be funded from Federal Highway Bridge Replacement Program (HBP), Federal Toll Credit Program, and the Road Fund.

RESULTS

Approval of the recommended actions will result in the appropriation of one of two sets of property rights required for this budgeted project. Completion of the project will replace the structurally deficient bridge on Cypress Mountain Drive at Klau Creek, thereby contributing to a safe and prosperous community.

ATTACHMENTS

1. Vicinity Map
2. Right of Way Agreement, Parcel No. 15-03
3. Public Road and Slope Easement Deed and Certificate of Acceptance, Parcel No. 15-03

File: WBS 300432.05 (Cypress Mountain Drive at Klau Creek Bridge Replacement Project)

Reference: 15SEP22-C-3

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